

REMARKS

Claims 3, 5-7, 14-17, 44, 61 and 67 have been allowed. Claims 1, 2, 60 and 68 are newly cancelled. Claims 8-13, 19-37, 51-59 and 62-66 were previously cancelled. Claims 4, 18, 38-43, 45-50, and 61, which were rejected, have been amended to put them in condition for allowance.

Claim Rejections — 35 USC § 112, first paragraph

Claims 1, 2, 38, 47, 60 and 68 have been rejected under 35 USC § 112, first paragraph as failing to comply with the written description requirement. The Applicant respectfully disagrees. However, to expedite prosecution, claims 1, 2, 60 and 68 have been cancelled without prejudice or disclaimer. Claims 38 and 47 now depend from allowed claim 3. The Applicant respectfully submits that the cancellation and amendments have overcome the Examiner's objections.

Claim Rejections — 35 USC § 112, second paragraph

Claims 4, 18, 38-43, 45, 46, 48-50 and 68 have been rejected under 35 USC § 112, second paragraph as being indefinite. Claim 68 has been cancelled.

Claim 4 was rejected for being indefinite because it was unclear as to what steps are being repeated. This claim has been amended to specifically recite the steps that are being repeated.

Claims 18, 38, 42, 45 and 46 were rejected for reciting apparent method claims in passive voice. These claims have been amended to the active voice.

Claim 39 was rejected "as the limitation intended by the repetitive step is unclear." This claim has been amended to clarify the repetition limitation.

Claim 40 was rejected for being unclear as to the step of incorporating the amino acids and also whether the library of protein sequences was the combinatorial library. This claim has been amended to clarify the step of amino acid incorporation and to refer to the library as said combinatorial library, antecedent for which is in claim 3.

Claim 43 was rejected for lack of antecedent basis for the term "combining process". Claim 18, from which claim 43 depends, has been amended to specifically recite a "combining step," and claim 43 has been amended to recite conforming language.

With respect to claim 48, the Examiner stated that "it is unclear where/when in the method of claim 61 the screening or selecting step is intended to occur." Claim 48 as amended refers to "screening or selecting one or more proteins from the library of proteins," using the library of proteins produced in the last step of the method of claim 48. Accordingly, this amendment clarifies where/when the screening or selecting step occurs and which library is used. Claim 50 is also remedied as it was only rejected based on issues raised for claim 48.

Conclusion

It is respectfully submitted that the above amendments and cancellation puts these claims in allowable form.

An early notice of allowance is hereby solicited. If the Examiner has any questions about the claim amendments, please contact the Applicant's attorney at 617-521-7017 to resolve these questions. Please apply any charges to deposit account 06-1050.

Respectfully submitted,

Date: 12 January 2007

/RKTabtiang/

Ramon K. Tabtiang
Reg. No. 55,658

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906